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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF WASHINGTON
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8 STEPHEN E. WEIGAND,
9 Plaintiff,

No. 2:14-cv-00278-SAB

10 v.
11 MATTHEW CHEUNG, an individual; and
12 PATENAUDE & FELIX, A
13 PROFESSIONAL CORPORATION, a
14 California corporation,
15 Defendants.

**ORDER DENYING PENDING
MOTIONS, AS MOOT**

16 On July 21, 2015, a status conference was held for the purpose of discussing
17 the parties' Offer and Acceptance of Judgment. Plaintiff was represented by Kirk
18 Miller and Brian Cameron. Defendant was represented by Matthew Z. Crotty.

19 From the briefing submitted by the parties, it became apparent to the Court
20 that Plaintiff believed the Offer was from both Defendants and Defendant
21 maintained the Offer was only from Defendant Patenaude & Felix. At the hearing,
22 the Court found there was not a meeting of the minds regarding the Offer of
23 Judgment. Subsequently, Plaintiff filed a Notice Withdrawing Acceptance of Offer
24 of Judgment. ECF No. 40.

25 Currently pending before the Court are two motions that were based in part
26 on the initial Offer and Acceptance of Judgment between the parties. As a result of
27 Plaintiff's withdrawal of the acceptance of offer of judgment, the pending motions
28 are moot.

ORDER DENYING PENDING MOTIONS, AS MOOT ~ 1

1 Accordingly, **IT IS HEREBY ORDERED:**

- 2 1. Defendant's Motion to Dismiss, ECF No. 22, is **DENIED**, as moot.
3 2. Plaintiff's Motion for Award of Attorney Fees and Costs, ECF No. 24, is
4 **DENIED**, as moot.

5 **IT IS SO ORDERED.** The District Court Executive is hereby directed to
6 file this Order and provide copies to counsel.

7 **DATED** this 29th day of July, 2015.



11 Stanley A. Bastian

12 Stanley A. Bastian
13 United States District Judge
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